

1970

c 301 Nurses Act

Ontario

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CHAPTER 301

The Nurses Act

1. In this Act,Interpre-
tation

- (a) "College" means the College of Nurses of Ontario established under this Act;
- (b) "Council" means the council of nurses established by the College under this Act;
- (c) "Minister" means the Minister of Health;
- (d) "nursing registry" means a registry that includes in its functions procuring employment for registered nurses and registered nursing assistants;
- (e) "registered nurse" means a person who is registered as a nurse under this Act;
- (f) "registered nursing assistant" means a person who is registered as a nursing assistant under this Act;
- (g) "school of nursing" means a school for the education of persons as nurses that is approved under this Act;
- (h) "training centre" means a training centre for the education of persons as nursing assistants that is approved under this Act. 1961-62, c. 90, s. 1; 1962-63, c. 92, s. 1.

2.—(1) The College of Nurses of Ontario is continued as a College corporation without share capital. 1961-62, c. 90, s. 2; 1962-63, c. 92, s. 2 (1), *amended*.

(2) Every registered nurse is a member of the College. Members 1962-63, c. 92, s. 2 (2).

3. The affairs of the College shall be administered by the Council Council which shall be composed as follows:

- (a) the Minister of Health or his representative *ex officio*;
- (b) members elected by the registered nurses of Ontario in accordance with the regulations;
- (c) members appointed by the Registered Nurses' Association of Ontario in accordance with the regulations;
- (d) members appointed by the Ontario Association of Registered Nursing Assistants in accordance with the regulations. 1961-62, c. 90, s. 3; 1965, c. 82, s. 1.

Schools of
nursing and
training
centres

4.—(1) No person shall establish, maintain or conduct a school of nursing or a training centre unless it has received the approval of the Lieutenant Governor in Council on the recommendation of the Council.

Idem

(2) Any approval given to a school of nursing or a training centre under subsection 1 may be revoked by the Lieutenant Governor in Council on the recommendation of the Council.

Idem

(3) The schools of nursing and the training centres that are being maintained and conducted on the 25th day of March, 1964 shall be deemed to have been approved in accordance with subsection 1. 1964, c. 73, s. 1.

Regulations

5. The Council, subject to the approval of the Lieutenant Governor in Council, may make regulations,

- (a) governing the composition of the Council, including the number, procedure for election and term of office of the members to be elected and the number and term of office of the members to be appointed;
- (b) fixing the remuneration of the members of the Council and providing for the payment of necessary expenses of the Council in the conduct of its business;
- (c) prescribing the powers of the Council and the procedure of the Council at its meetings;
- (d) prescribing the requirements for approval of schools of nursing and training centres and for the cancellation of such approval;
- (e) providing for the inspection of schools of nursing and of training centres;
- (f) prescribing the requirements for admission to schools of nursing and training centres and the courses of instruction therein;
- (g) providing for the holding of examinations for persons who are in attendance at or graduates of schools of nursing and training centres;
- (h) for the registration of graduates of schools of nursing located within or outside Ontario and the issue, suspension, cancellation and renewal of registration;
- (i) for the registration of graduates of training centres located within or outside Ontario and the issue, suspension, cancellation and renewal of registration;
- (j) prescribing the fees for examinations, registration and renewal of registration of nurses and nursing assistants;
- (k) governing the disciplinary powers of the Council or a committee of the Council with respect to registered

nurses and registered nursing assistants, including the power to suspend or cancel their registration;

- (l) prescribing the standards for approval of nursing registries;
- (m) providing for the appointment, composition, powers and duties of the Educational Advisory Committee. 1961-62, c. 90, s. 6; 1962-63, c. 92, s. 3.

6.—(1) There shall be an Educational Advisory Committee to advise the Council with respect to matters pertaining to schools of nursing and training centres. Educational
Advisory
Committee

(2) Any regulation made by the Council pursuant to section 5 that pertains to schools of nursing and training centres shall be submitted to the Educational Advisory Committee at least thirty days before it is submitted to the Lieutenant Governor in Council for approval. 1962-63, c. 92, s. 4. Regulations
in schools
of nursing,
etc.

7. The Council shall keep a register containing information about every person who has been granted registration as a registered nurse or registered nursing assistant under this Act. 1961-62, c. 90, s. 7. Register

8. No person shall hold herself or himself out to the public by any title, designation or description as a registered nurse or registered nursing assistant and under such title, designation or description offer to render or render services of any kind to one or more persons for a fee or other remuneration unless such person is registered under this Act. 1961-62, c. 90, s. 8. Prohibitions

9.—(1) No person shall use the title “registered nurse” or the designation “Reg. N.” or “R.N.” unless such person is registered as a nurse under this Act. Title,
Reg. N.,
R.N.

(2) No person shall use the title “registered nursing assistant” or “certified nursing assistant” or the designation “R.N.A.” or “C.N.A.” unless such person is registered as a nursing assistant under this Act. 1961-62, c. 90, s. 9. Title
R.N.A.,
C.N.A.

10. The powers of the College include, Powers of
College

- (a) assisting financially and otherwise in researches in nursing education and practice;
- (b) the use of unsworn oral and written statements in the course of any disciplinary inquiry;
- (c) publication of the decision of any disciplinary inquiry and all or any of the information used in the inquiry;
- (d) the establishment and maintenance of a superannuation plan for its officers and employees, and the making of

contributions from the funds of the College for that purpose;

- (e) issuing certificates of approval to nursing registries that comply with standards established by the regulations. 1961-62, c. 90, s. 10.

Review
by court

11.—(1) If the Council refuses or neglects to register a person, refuses or neglects to renew the registration of a person, or suspends or cancels the registration of a person, the person aggrieved may, within three months from the day on which notice thereof was served, apply to the Supreme Court, which upon due cause shown may make an order directing the Council to grant the registration, renew the registration, remove the suspension, or withdraw the cancellation, as the case may be, or may make such other order as is warranted by the facts.

Idem

(2) Every such order is final and conclusive and shall be acted upon forthwith by the Council. 1961-62, c. 90, s. 11.

Actions
against
College

12. No action, prosecution or other proceeding shall be brought or be instituted against the College or any officer, clerk or servant of the College or the Council or any member of the Council or its committees for an act done in pursuance or execution or intended execution of any duty or authority under this Act or the regulations, or in respect of any alleged neglect or default in the execution of any such duty or authority. 1961-62, c. 90, s. 12.

Penalties

13. Every person who contravenes any of the provisions of this Act is guilty of an offence and on summary conviction is liable to a fine of not more than \$100 for a first offence and not more than \$500 for any subsequent offence. 1961-62, c. 90, s. 13.
